

Section 322 would, in effect, prohibit the Department of Interior from reimbursing NTIA for spectrum functions. The Department of the Interior has already been required to reimburse NTIA since FY1996 and had to take into account such provisions prior to submitting a budget request to the Congress for FY2000. Section 322 is a direct effort to undermine the reimbursement effort and provides the Department of Interior with extra funding for other purposes for FY2000 that they wouldn't have otherwise. Providing the Department of the Interior with a statutory mechanism to avoid paying its fair share for spectrum management functions is not sound policy.

Further, section 322 could harm the Department of Interior's use of spectrum because under current restrictions NTIA is prohibited from providing any spectrum functions to a federal agency that does not reimburse NTIA for such functions. To the extent that the Department of Interior does not have funding outside of the monies provided in H.R. 2466, the Congress may be limiting the spectrum functions and capabilities of the Department of Interior. In effect, this provision may be prohibiting the Department of Interior from reimbursing NTIA for spectrum functions and as a result preventing the Department of Interior from using spectrum.

The Commerce Committee intends to move legislation reauthorizing NTIA this session. In particular, the Subcommittee on Telecommunications, Trade, and Consumer Protection is considering legislation to codify the current reimbursement practices and expand on the level of reimbursement from federal agencies to 100 percent. If any effort is necessary to adjust, alter, or exempt any federal agency from reimbursing NTIA for spectrum functions it should be through this vehicle and not through an appropriations bill.

Accordingly, I believe that section 322 may have a negative impact on spectrum policy. The Commerce Committee will be active to ensure that the inclusion of any provision within the final version of this bill not interfere or cause harm to telecommunications policy. I respectfully request that these concerns be taken into account during further consideration of this legislation.

PERSONAL EXPLANATION

HON. CHRISTOPHER SHAYS

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 1999

Mr. SHAYS. Mr. Speaker, on Thursday, July 15, I inadvertently voted "nay" when I meant

to vote "aye" on rollcall vote 303, the Lowey amendment to H.R. 2490, the Fiscal Year 2000 (FY 00) Treasury-Postal Appropriations Act.

I support the provision in H.R. 2490 to require Federal Employee Health Benefit Plans (FEHBP) which provide prescription plans to include coverage of all FDA-approved contraceptive drugs and devices.

I oppose the amendment offered by Congressman CHRIS SMITH to allow health plans to opt out of providing contraceptive coverage by claiming a "moral conviction." I was happy to see the passage of the Lowey substitute amendment to strike this exemption for health plans.

It is my hope the Lowey amendment will help reduce unwanted pregnancies while providing women with contraceptive coverage. While the FY 00 Treasury-Postal Appropriations Act covers only women in the FEHBP, I believe it is a positive step forward in ensuring contraceptive coverage is available to women in a majority of health plans.

As an original cosponsor of H.R. 2120, the Equity in Prescription and Contraceptive Coverage Act, introduced by Representatives JIM GREENWOOD and NITA LOWEY, I will continue to work to provide access to family planning services.